

# Exhibit 7

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAIMARIA BODOR,  
individually and on behalf of all others  
similarly situated,

Plaintiff,

vs.

MAXIMUS FEDERAL SERVICES, INC.,

Defendant.

NO. 5:19-cv-05787-EGS

**DECLARATION OF JODY T. LÓPEZ-JACOBS**

I, JODY THOMAS LÓPEZ-JACOBS, an attorney licensed to practice in this Court, do hereby certify and confirm:

1. I am an adult individual, a member of the bar of this Court in good standing, and counsel for Plaintiff Jaimaria Bodor and the putative class in the above-captioned action. This Declaration is submitted in support of Plaintiff's Motion for Approval of Proposed Settlement.

2. I have been a member of the bar of this Court since 2015. I am admitted to the bars of the United States Court of Appeals for the Third Circuit, the Western District of Pennsylvania, the Middle District of Pennsylvania, and the District of New Jersey. I am also admitted to the bars of the Commonwealth of Pennsylvania and the State of New Jersey.

3. I began working at Flitter Milz as an Associate in September 2017. During my time at the firm, I have litigated several consumer class action cases, including cases under the Fair Debt Collection Practices Act ("FDCPA"), resulting in substantial monetary and/or equitable relief for thousands of consumers. I have also been selected as a Rising Star (2021, 2022, and 2023) and top-rated consumer law attorney by Super Lawyers. My firm has handled

dozens of class action cases under the FDCPA, and has been approved as Class Counsel in the following non-exhaustive list of FDCPA class actions:

- *Homer v. Law Offices of Frederic I. Weinberg & Assocs., P.C.*, 2018 WL 2239556 (E.D. Pa. May 16, 2018);
- *Good v. Nationwide*, 314 F.R.D. 141 (E.D. Pa. 2016);
- *Harlan v. Transworld Systems, Inc.*, 302 F.R.D. 319 (E.D. Pa. 2014);
- *Durr v. Rochester Credit Center, Inc.*, 2012 WL 2130953 (E.D. Pa. June 5, 2012);
- *Rosenau v. Unifund*, 646 F. Supp. 2d 743 (E.D. Pa. 2009);
- *Davis v. Riddle*, 2008 WL 4388001 (E.D. Pa. Sept. 22, 2008);
- *McCall v. Drive Fin. Servs.*, 236 F.R.D. 246 (E.D. Pa. 2006).

The firm has also successfully handled several FDCPA appeals to the U.S. Court of Appeals for the Third Circuit, including:

- *Schultz v. Midland Credit Mgmt., Inc.*, 905 F.3d 159 (3d Cir. 2018);
- *Douglass v. Convergent Outsourcing*, 765 F.3d 299 (3d Cir. 2014) (first impression, holding that a collector's disclosure of consumer's account number on an envelope violates FDCPA's privacy protections);
- *Jackson v. Midland Funding, LLC*, 468 Fed. Appx. 123 (3d Cir. 2012) (New Jersey's entire controversy doctrine does not preclude FDCPA suit against a debt collector after conclusion of Special Civil Part collection action);
- *Rosenau v. Unifund*, 539 F.3d 218 (3d Cir. 2008) (successful challenge to deceptive reference to "Legal Dept." on collection notices); and,

- *Brown v. Card Service Center*, 464 F.3d 450 (3d Cir. 2006) (first impression, court adopts FTC standard for deception, finds false suggestion of possible suit as deceptive under Fair Debt Collection Practices Act).

4. Prior to working at Flitter Milz, I served as a Judicial Law Clerk for the Honorable Mark A. Kearney of the U.S. District Court for the Eastern District of Pennsylvania.

5. Before my judicial clerkship, I volunteered to teach in South America and served as both a law clerk and attorney for Friedman & Houlding, LLP, a civil rights law firm in New York, where my work involved solely federal litigation.

6. I graduated from Temple University Beasley School of Law in the top 10% of his class with *Magna Cum Laude* honors. Based on my academic performance, I was invited to join the Order of the Coif, a national honorary scholastic society.

7. During law school, I won 2<sup>nd</sup> place in a national writing competition overseen by the American Bar Association. I also served on the Editorial Board of the Temple Law Review as a Research Editor. In my third year of law school, I published original legal scholarship in the Temple Law Review.

8. My Curriculum Vitae appears at the end of this Certification. It sets forth a more detailed description of my publications, awards, and experience.

#### **LITIGATION OF THE INSTANT CASE**

9. On April 1, 2023, Defendant produced a Class List in Microsoft Excel format identifying 3100 borrowers who experienced a TOP offset. Of those borrowers, Defendant identified 274 that fall within the class definition.

10. At Plaintiff's insistence, Defendant produced screenshots of the accounts of a random sample of 40 borrowers that Defendant identified as not falling within the class

definition. I reviewed those sample accounts and determined that all such borrowers are properly excluded.

11. The Class List produced includes information including, *inter alia*, the amounts that were offset through TOP and the amount of time that passed until a refund was issued.

12. Review of this data reveals that on average, Class Members were deprived of their tax refunds for a period of about 88 days, ranging from approximately 8 days to 617 days. The average amount seized was about \$2,117, ranging from approximately \$26 to \$16,606. Ms. Bodor's \$79 was seized and not returned for over five months. Class members typically did not have refunds initiated until weeks or months after the TOP offset occurred.

Date: July 14, 2023

/s/ Jody T. López-Jacobs  
JODY T. LÓPEZ-JACOBS  
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*Attorney for Plaintiff and the putative Class*

**JODY THOMAS LÓPEZ-JACOBS, ESQ.****EDUCATION****Temple University Beasley School of Law**, Philadelphia, PA – Juris Doctor – May 2015 – Top 10%

*Honors:* Magna Cum Laude  
 Order of the Coif  
 Fellow, Rubin Public Interest Law Honor Society  
 Superior performance (S+) in Integrated Trial Advocacy Program

*Awards:* Nat N. Wolfsohn Memorial Award in Real Property  
 Beasley Scholarship Recipient

*Activities:* Editorial Board (Research Editor), Temple Law Review  
 Personal Advisor to a student accused of sexual assault, harassment, and stalking  
 Research Assistant, Professor Laura E. Little  
 Student Representative, Barbri

**Millersville University**, Lancaster, PA – B.A. Sociology – Minor in Government & Political Affairs – May 2011 – GPA: 3.84

*Honors:* Dean's List

*Awards:* Sociology/Anthropology Department Senior Award for Excellence  
 Drs. George F. and Helen A. '64 Stine Sociology Award

**LEGAL EXPERIENCE****Flitter Milz, P.C., Narberth, PA****September 2017–Present***Associate Attorney*

- Litigating in federal and state courts under consumer rights statutes such as the FDCPA, FCRA, UTPCPL, and UCC.
- Contributing to annual supplements to the PENNSYLVANIA CONSUMER LAW treatise.
- Representing litigants pro bono in debt defense, landlord-tenant, and foreclosure defense cases.

**U.S. District Courts for the Eastern and Western Districts of Pennsylvania, Philadelphia, PA****August 2016–August 2017***Law Clerk for Judge Mark A. Kearney*

- Overseeing an average of 40 civil/criminal cases situated in the Eastern, Western, and Middle U.S. Districts Courts of PA.
- Drafting orders and opinions resolving motions for summary judgment, motions to dismiss, motions in limine, motions for final approval of class action settlement, preliminary injunctions, temporary restraining orders, etc.
- Drafting orders and opinions in cases involving employment discrimination, constitutional violations, class actions, RICO claims, contract disputes, personal injury, IDEA claims, habeas corpus, social security disability, and the Federal Rules.

**Servicio Nacional de Aprendizaje (SENA), Republic of Colombia****February 2016–June 2016***English Teaching Fellow*

- Taught English to more than seven classes of Colombian vocational school students.
- Prepared lesson plans, both collaboratively with coteachers and independently.

**Friedman & Houlding, LLP, New York, NY****September 2015–January 2016***Attorney*

- Assisted on a race-based hostile work environment case filed by 37 plaintiff-employees against their employer in the E.D. Va.
- Prepared responses to interrogatories and requests for production of documents for 37 plaintiffs.

**Philadelphia Housing Court, Philadelphia, PA****January 2015–May 2015***Court-Appointed Mediator*

- Assisted unrepresented landlords and tenants in resolving disputes in a free ADR diversion program (two disputes per week).
- Drafted written settlement agreements between the parties and explained the agreements to the parties.

**United States District Court for the Eastern District of Pennsylvania, Philadelphia, PA** **September 2014–May 2015**

*Judicial Intern for Chief Judge Petrese B. Tucker*

- Wrote opinions and researched issues to resolve summary judgment motions, attorney fee petitions, and other matters.

**Sheller Center for Social Justice, Philadelphia, PA**

**September 2014–May 2015**

*Certified Legal Intern*

- Represented and counseled a non-English speaking worker in federal court for claims of unpaid wages and retaliation.
- Wrote a memorandum for a local nonprofit regarding the validity of class action waivers under the Federal Arbitration Act, an issue the U.S. Supreme Court granted certiorari on January 13, 2017 (*NLRB v. Murphy Oil USA, Inc.*, 16-307).
- Conducted a study and prepared a white paper on PA law enforcement practices regarding the issuance of ICE detainees.

**United States District Court for the Eastern District of Pennsylvania, Philadelphia, PA**

**June 2014–September 2014**

*Certified Legal Intern for the Supervision to Aid Reentry (STAR) Program (volunteer)*

- Counseled individuals on supervised release regarding their traffic matters and other legal matters.

**Galfand Berger, LLP, Philadelphia, PA**

**January 2014–August 2014**

*Law Clerk*

- Researched and wrote motions on topics including products liability, forum non conveniens, workers' compensation, etc.
- Prepared pleadings in PA state court, including a complaint for thirty-two plaintiff-employees who were not paid wages.
- Interviewed clients and prepared written case assessments.

**Pennsylvania Innocence Project, Philadelphia, PA**

**January 2014–May 2014**

*Clinical Intern*

- Investigated the claim of innocence of an individual serving a life sentence for murder.
- Reviewed evidence and prepared a report analyzing the claim of innocence and discerning areas of possible future investigation.
- Researched and wrote arguments for motions involving DNA testing under the Pennsylvania Post Conviction Relief Act.

**Superior Court of Pennsylvania, Philadelphia, PA**

**May 2013–August 2013**

*Judicial Intern for Justice James J. Fitzgerald, III*

- Wrote opinions and prepared legal memoranda on all manners of issues in civil and criminal appeals.

**Triquetra Law, Lancaster, PA**

**May 2011–August 2012**

*Litigation Paralegal*

- Researched and wrote on topics including Title VII, the ADAAA, the ADEA, the FLSA, and 42 U.S.C. §§ 1981, 1983.
- Prepared administrative filings for the EEOC and PHRC, pleadings, motions, briefs, and discovery requests/responses.
- Interviewed new and existing clients, reviewed depositions, organized evidence for filing in court and for trial.

## AWARDS

- Super Lawyers “Rising Star,” 2021, 2022, and 2023
- Community Legal Services of Philadelphia Equal Justice Award, 2023
- Second place, American Bar Association Section of Labor & Employment Law Writing Competition, 2014
- Award Recipient, Judicial Internship Opportunity Program, 2013

## PUBLICATIONS

- Jody Thomas López-Jacobs, *Storytelling Tips for Lawyers*, THE PENNSYLVANIA LAWYER (Sept./Oct. 2019)
- Jody Thomas López-Jacobs, *First But Not the Last: Judge Cathy Bissoon*, HOUSTON'S LEGACY (Pa. Bar Assoc. Spring 2019)
- COLE ET AL., A MOVEMENT AWAY FROM ICE DETAINERS IN PENNSYLVANIA (2015)
- Jody Thomas López-Jacobs, Comment, *Is There a Border Exception to the Exclusionary Rule?*, 87 TEMP. L. REV. 611 (2015)
- Jody López-Jacobs, *Who Owns the Tips?* (2014) (published on the College of Labor and Employment Lawyers website)

**ADMISSIONS**

- Pennsylvania (passed on first attempt)
- New Jersey (passed on first attempt)
- United States Court of Appeals for the Third Circuit
- United States District Court for the Eastern District of Pennsylvania
- United States District Court for the Middle District of Pennsylvania
- United States District Court for the Western District of Pennsylvania
- United States District Court for the District of New Jersey
- United States District Court for the Central District of Illinois

**CLASS COUNSEL**

- *Atterbury v. Earn Company*, Apr. Term, 2021, No. 00637 (Pa. CCP Phila Co. Apr. 18, 2023) (certified on contest).
- *Lane v. Ardent Credit Union*, Feb. Term, 2020, No. 00450 (Pa. CCP Phila Co. Dec. 2, 2022) (certified on contest).
- *Chipego v. Five Star Bank*, May Term, 2017, No. 02466 (Pa. CCP Phila Co. Sept. 30, 2021) (certified on contest).
- *Mwangi v. Service 1<sup>st</sup> Fed. Credit Union*, Luzerne Co. Pa. CCP, No. 2019-792 (class settlement).
- *Norman v. Trans Union, LLC*, 479 F. Supp. 3d 98 (E.D. Pa. 2020), *pet. for permission to appeal denied*, No. 20-8033, 2020 WL 6393900 (3d Cir. Sept. 15, 2020) (certified on contest).
- *Schultz v. Midland Credit Mgmt., Inc.*, No. 16-4415, 2020 WL 3026531 (D.N.J. June 5, 2020) (certified on contest).
- *Farley v. Pennsylvania State Employees Credit Union*, Phila., Pa. CCP, June Term, 2017, No. 0018189 (class settlement).
- *Eastman v. TD Bank*, Super. Ct. of NJ, Law Division – Ocean County, No. OCN-L-002588-17 (class settlement).
- *Mccalvin, et al. v. Condor Holdco Securitization Trust*, U.S.D.C. E.D. Pa. No. 17-1350 (class settlement).
- *Benefield v. ESSA Bancorp, Inc.*, Phila., Pa. CCP, September Term, 2016, No. 001381 (class settlement).

**LECTURES/PRESENTATIONS**

- “Consumer Protection Law and Litigation,” LANCASTER BAR ASSOCIATION (Apr. 13, 2023).
- “How to Get Evidence to Prove Willfulness,” NACA Spring Training, NATIONAL ASSOCIATION OF CONSUMER ADVOCATES (May 4, 2023).
- “New Trends in Identity Theft,” NACA Spring Training, NATIONAL ASSOCIATION OF CONSUMER ADVOCATES (May 13, 2022).
- “Discovery Confidentiality,” NATIONAL ASSOCIATION OF CONSUMER ADVOCATES (FEB. 22, 2022).
- “Repossessions: FDCPA Claims, Breach of the Peace, and Big Verdicts,” The Consumer Rights Litigation Conference and Class Action Symposium, NATIONAL CONSUMER LAW CENTER (Nov. 16, 2019).
- “Protecting a Consumer’s Rights,” Financial Literacy & Entrepreneurial Empowerment Symposium, TEMPLEUNIV. (Sept. 29, 2017).